

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRIS LUSBY TAYLOR, et al.,

Plaintiffs,

v.

NO. CIV. S-01-2407 WBS GGH

JOHN CHIANG, et al.,

Defendants.

ORDER

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The undersigned hereby orders the following briefing and schedule regarding interim attorneys' fees in the above captioned action:

1. Plaintiffs shall file their (revised) interim attorneys' fee application with all supporting evidence now available no later than July 31, 2008.

2. Defendant shall either:

- a. file an opposition with all supporting evidence by August 22, 2008 or¹;
- b. shall file no later than August 15, 2008, a request to engage in discovery detailing the type of discovery proposed and specific need for such discovery to oppose plaintiffs' filing.

¹ Plaintiffs shall then file a reply by August 29, 2008.

1 3. If defendant opts for 2(b), the following schedule is set.

2 4. Plaintiffs may oppose, in whole or in part, defendant's discovery request if they
3 do so no later than August 22, 2008, after which the undersigned will rule on the objections. If
4 the court approves the discovery request, plaintiffs may engage in appropriate discovery as well
5 on the issues approved for defendant's discovery. Plaintiffs' present request for discovery is
6 deferred pending a request by defendant for discovery. If the court denies discovery, that order
7 will include a date for the filing of defendant's opposition to plaintiff's interim attorneys' fees
8 filing and a reply.

9 5. If defendant's request for discovery is granted, in no event shall the discovery
10 period last longer than 60 days from the date approved by the court. All discovery, save
11 depositions, shall be propounded so that it may be the subject of response no later than three
12 weeks prior to the close of the discovery period. Motions and appropriate joint statements
13 regarding discovery must be filed at least two weeks prior to the expiration date of the discovery
14 period with the exception of motions related to depositions which may be filed no later than the
15 close of the discovery period.

16 6. Any request for an evidentiary hearing shall be filed two weeks prior to the
17 date the discovery period closes. The request shall detail what is to be set forth at evidentiary
18 hearing and why the hearing is necessary. A party opposing a request for evidentiary hearing
19 shall oppose within one week of the filing of the request.

20 7. The undersigned will expeditiously review any request for evidentiary hearing.
21 If approved, the undersigned will expeditiously set the evidentiary hearing and any required
22 briefing.

23 8. If no evidentiary hearing is requested or approved, the undersigned will require
24 defendant's briefing in opposition to plaintiff's application for interim attorneys' fees to be filed

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1 within two weeks of the close of discovery; plaintiffs may reply within one week thereafter; the
2 court will determine whether oral argument would be helpful after receipt of the reply.

3 DATED: 07/22/08

/s/ Gregory G. Hollows

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5 GREGORY G. HOLLOWS
U.S. MAGISTRATE JUDGE

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